

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DONALD NICHOLS,)
)
Plaintiff,)
)
v.) No. 3:11-CV-417
) (MATTICE/GUYTON)
)
KNOX COUNTY, TN *et al.*,)
)
Defendants.)

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02. Now before the Court is the Defendants' Motion for Clarification or in the Alternative to Modify the Scheduling Order [Doc. 106], filed on February 13, 2014.

By way of background, this Court entered an Order [Doc. 76] on October 9, 2013, to stay discovery as to the Defendants in this case, with the exception of allowing the Plaintiff to conduct a deposition of Knox County employee Stephanie Minor, until the District Court enters a ruling on the Defendants' Motions for Summary Judgment. To date, the Motions for Summary Judgment are still pending before the District Court.

In light of the stay, the Defendants filed the instant motion asking the Court for clarification on whether compliance with the pre-trial deadlines as set forth in the Scheduling Order [Doc. 33] is necessary or, in the alternative, Defendants move the Court to modify the Scheduling Order pursuant to Federal Rule of Civil Procedure 16(b)(4). In particular, Defendants submit that they have not engaged in any further discovery since the filing of the Motions for Summary Judgment and that the deadline for disclosing expert testimony is soon

approaching with the Plaintiff's disclosures due March 1, 2014, and the Defendants' disclosures due March 31, 2014.

Plaintiff filed a response [Doc. 107] opposing a modification of the Scheduling Order. Plaintiff contends that the Defendants have known of the expert disclosure deadline for more than two years and have not shown good cause for amending pre-trial deadlines at this time.

The Court instructs the parties that they SHALL adhere to the Scheduling Order regarding deadlines for disclosure of expert witnesses. The Court further clarifies that the stay entered by Order of this Court on October 9, 2013 remains in place. Finally, to the extent that the Defendants' motion [Doc. 106] requests the Court to modify the Scheduling Order, the motion is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge